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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,004	04/08/2004	Thomas P. Adams	1827.030	9306
23598 7590 10/01/2009 BOYLE FREDRICKSON S.C. 840 North Plankinton Avenue MILWAUKEE, WI 53203				
EXAMINER SHAPIRO, JEFFERY A				
ART UNIT 3653		PAPER NUMBER		
NOTIFICATION DATE 10/01/2009		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@boylefred.com

Office Action Summary

Application No.

10/821,004

Applicant(s)

ADAMS ET AL.

Examiner

JEFFREY A. SHAPIRO

Art Unit

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) 10 and 22 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9 and 11-17 is/are allowed.
- 6) ☒ Claim(s) 18-21 and 23-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

APPEAL BRIEF

1. In view of the Appeal Brief filed on 7/16/09, PROSECUTION IS HEREBY REOPENED. A new grounds of rejection set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below: /Patrick H. Mackey/

Supervisory Patent Examiner, Art Unit 3653

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 18-21 and 23-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones in view of.

Regarding Claims 18 and 26, Jones discloses loading batches of coins (14), as illustrated in figure 2, having a plurality of denominations into the machine from the user coin receptacle (note that any coin receptacle can be used, including a cash till (250), as taught by Geib at figure 11), having compartments for receiving respective denominations and totaling amounts dispensed in relation to respective users.

Jones further discloses receiving the coins that are fed into the machine and sorting said coins by denomination at coin processing module (32), which is further mentioned as being the sorter of Geib at col. 6, lines 10-16, counting said coins and directing said coins to a plurality of bulk coin storage receptacles (40) according to denomination.

Jones further discloses electronically controlling (39) a plurality of mechanisms that transfer coins from said bulk coin storage receptacles by denomination to corresponding ones of said dispensing hoppers (36) for dispensing to a respective user.

Further regarding Claims 18, 23, 24 and 26, Jones discloses dispensing coins by denomination from a plurality of dispensing hoppers (402a-402f) as illustrated at figure 21, in a machine to a user coin receptacle (Geib's till (250)) having compartments for receiving respective denominations and totaling amounts dispensed in relation to respective users. Note that Jones discloses user identification at col. 5, lines 25-38 and connecting to an accounting system at col. 13, lines 5-10.

Further regarding Claims 18, 24 and 26, Jones discloses comparing amounts of coins dispensed from the machine for the respective user with amounts of coins loaded into the machine by said respective user. See col. 2, lines 9-25.

Regarding Claims 18 and 26, Jones does not expressly disclose, but Harris discloses using a bulk coin receptacle, (70), to fill a dispensing hopper (56) when a low condition is sensed in the primary hopper, for the purpose of increasing the capacity of the machine, thereby reducing the need to replenish the machine and the cost of labor as well as reducing machine downtime. See Harris at col. 1, line 61-col. 2, line 35, which describes the problem of dispensing hopper depletion which causes machine downtime. Note also that Harris discloses at col. 3, lines 10-33 that a set of sensors detect the levels of both the bulk coin receptacle and the dispensing hopper.

Such frequent refilling requires extra labor and reduces refilling. Note also that Jones mentions at col. 18, lines 23-49 an intent to reduce such downtime.

Further regarding Claim, 21, Harris discloses a transfer mechanism comprising a platform (90), which lifts coins from the bottom of the bulk coin receptacle (70) towards the top opening (78a, b), where coins at the top of the column of coins are "skimmed" off the top by "skimmer" (116) which transports the coins to the dispensing hopper from the bulk coin storage receptacle by pushing them through opening (78a, b), as illustrated in figures 5-6 of Harris and discussed at col. 3, lines 10-33 and col. 9, line 56-col. 10, line 3.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to have added a bulk coin receptacle and associated transfer mechanism to

each of Jones' dispensing hoppers (36), as taught by Harris, for the purpose of increasing coin storage capacity, thereby reducing machine downtime and labor associated with servicing the coin machine.

Further regarding Claims 18 and 26, although Jones does not expressly disclose comparing the first and second totals, it would have been obvious to one of ordinary skill to perform this step as Jones' system discloses collecting such data and makes it "available" to a user, for the purpose of accounting for coins processed by Jones' apparatus. Therefore, it would have been obvious for one ordinarily skilled in the art to have performed the method steps of Claims 18 and 26 using Jones' apparatus.

Further regarding Claims 18, 26, 28 and 29, Jones does not expressly disclose, but Carter discloses using a coin sorter/counter (15) controlled by a computer (12) with a program that balances currency such as coins entered into the coin sorter by a particular identified user with the coin dispensed to that user by shift. See Carter figures 1 and 2, abstract, paragraphs 4, 5, 9, 10, 13, 16, 22, 35, 36, 59, 70 and 90. A user is identified at paragraph 35.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to have added Carter's balancing program with Jones' coin recycling and processing device for the purpose of handling Jones' cash tills in a retail environment. See Carter, paragraphs 4-9.

Regarding Claims 19 and 27, note that Jones' machine can (is capable of) be (ing) carried out simultaneously with the counting of coins being dispensed in an output operation.

Regarding Claim 20, Jones discloses dispensing hoppers or bags at figure 3.

Regarding Claim 25, Jones does not expressly disclose, but Geib discloses a touch screen (74) at col. 4, lines 55-65.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to have incorporated a touch screen interface into Jones as taught by Geib since a touch screen is a well-known computer interface that has predictable operation and results when substituted for a similar non-touch screen device. Also, a touch screen eliminates space required by a keyboard.

Allowable Subject Matter

4. Claims 1-9 and 11-17 are allowed.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEFFREY A. SHAPIRO whose telephone number is (571)272-6943. The examiner can normally be reached on Monday-Friday, 9:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick H. Mackey can be reached on (571)272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jeffrey A. Shapiro/
Primary Examiner, Art Unit 3653

September 24, 2009